

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 53.07 ha i.e. fresh forest area of 32.25 ha (revised from 29.26 ha) and re-diversion of 20.82 ha of forest land in Nandyal WL and Giddalur division in favour of the Deputy Chief Engineer, Construction-IV, South Central Railway, Secunderabad for doubling railway line between Guntur and Guntakal stations – Final approval accorded.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 35

Dated: 17-09-2024

Read the following:-

- 1) From the PCCF&HoFF, A.P., Lr. Ref. No. EFS02-15022/8/2018-FCA SEC-PCCF/FCA-1, dated 13.12.2021.
- 2) State Govt.Lr.No.2533/Sec.II/2021/1596914, EFS&T(Sec.II) Dept., dated 04.02.2022.
- 3) From the GoI, MoEF&CC, IRO, Vijayawada, Lr.F.No.4-APC145/2022-VIJ/985, dated 10.06.2023.
- 4) From the PCCF & HoFF, Lr.Ref.No.EFS02-15022/8/2018-FCA SEC-PCCF/FCA-1, dated 25.07.2024.
- 5) State Govt.Lr.No.2533/Sec.II/2021/1596914, EFS&T(Sec.II) Dept., dated 01.08.2024.
- 6) From the GoI, MoEF&CC, Sub-office at Vijayawada of Regional Office, Lr.F.No.4-APC145/2022-VIJ/457, dated 20.08.2024.

ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, has submitted a proposal for seeking prior approval of the Central Government under section-2 of Forest (Conservation) Act, 1980 for diversion of 53.07 ha i.e. fresh forest area of 32.25 ha (revised from 29.26 ha) and re-diversion of 20.82 ha of forest land in Nandyal WL and Giddalur division in favour of the Deputy Chief Engineer, Construction-IV, South Central Railway, Secunderabad for doubling railway line between Guntur and Guntakal stations.

2. In the letter 2nd read above, the proposal of the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Mangalagiri, has been sent to the Government of India, Ministry of Environment & Forests, Integrated Regional Office, Vijayawada for according necessary approval under section-2 of Forest (Conservation) Act, 1980.

3. In the letter 3rd read above, the Government of India, Ministry of Environment & Forests, Integrated Regional Office, Vijayawada, after getting certain additional information, have accorded in-principle approval under section-2 of Forest (Conservation) Act, 1980, for the above proposal, subject to fulfilment of relevant conditions stipulated therein.

4. In the letter 4th read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Mangalagiri, Guntur has furnished compliance report on the conditions stipulated in the in-principle approval for onward submission to the GoI, MoEF & CC, RO, Chennai, Sub-office at Vijayawada for according 'Final' approval section-2 (1) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for the proposal. Accordingly, State Government forwarded the compliance report to the GoI, MoEF & CC, RO, Chennai, Sub-office at Vijayawada for according 'Final' approval to the proposal vide letter in the 5th read above.

5. In the letter 6th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Regional Office, Chennai, Sub-office at Vijayawada *have conveyed the Central Government's final approval* under section-2(1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for **“diversion of 53.07 ha i.e. fresh forest area of 32.25 ha (revised from 29.26 ha) and re-diversion of 20.82 ha** of forest land in Nandyal WL and Giddalur division in favour of the Deputy Chief Engineer, Construction-IV, South Central Railway, Secunderabad for doubling railway line between Guntur and Guntakal stations , subject to fulfilment of certain conditions stipulated therein.

6. Government, after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Mangalagiri, Guntur Dist., for **diversion of 53.07 ha i.e. fresh forest area of 32.25 ha (revised from 29.26 ha) and re-diversion of 20.82 ha** of forest land in Nandyal WL and Giddalur division in favour of the Deputy Chief Engineer, Construction-IV, South Central Railway, Secunderabad for doubling railway line between Guntur and Guntakal stations, subject to the following conditions:-

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency;
- iii. The State Forest Department shall raise and maintain plantation in degraded forest land identified over an extent of 70.00 Ha out of 79.21 ha in Compt.No.375, 376 & 377 of Sirvel RF, Peddavangali Beat, D.V.Penta Section, Rurdavaram Range, Nandyal Division from the funds provided by the User Agency;
- iv. The approved CA land and compensatory afforestation scheme shall not be changed without prior approval of the Central Government;
- v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency;
- vi. The conditions stipulated by SC-NBWL under Wildlife (Protection) Act, 1972 shall be strictly followed;
- vii. As the project is permanent and linear in nature, the UA shall conduct study (every five years) by the reputed institution like Wildlife Institute of India (WII) to examine actual impact after execution of the project and shall submit such report to the Sub Office, Vijayawada and the WL Division of the Ministry;
- viii. The User Agency shall engage an expert in the field of wildlife to oversee the implementation of wildlife mitigation plan during project execution phase and the operational phase to ensure proper implementation of such wildlife mitigation measures;
- ix. As per the information provided by the field officials, in the past, there has been mortalities of Tigers, Panthers and other Wild animals due to train accidents. Hence, more such mortalities of wildlife can be anticipated due to construction of new track. Hence, the construction of tunnels at appropriate places (based on the usual route/crossing places and other such places wherever required) shall be carried out by the UA and dimensions of such underpass/culverts shall depend on nature of fauna existing in and around forest area proposed for diversion;
- x. In parallel to the existing under passes in the existing railway line, new under passes/ culverts shall be constructed while constructing new track to ensure easy passage of wild animals without getting struck in between the two tracks;
- xi. All other mitigation measures required as per the Wildlife Institute of India(WII) prescribed for such linear projects shall be implemented;
- xii. In specific to tunnels portion, sufficient safeguards and mitigation measures (including side ramps, fencing up to tunnel portion entry point for at least 50 mtrs length followed by the under pass / culvert) need to be taken to guide

- and ensure safe passage of wild animals above the tunnels and avoid entering of wild animals inside tunnel opening;
- xiii. Tree felling shall be carried out wherever necessary under the strict supervision of the DFO concerned and tree felling in the upper area of 2.99 ha proposed for funnel portion, shall be avoided without compromising safety of the tunnel;
 - xiv. While execution of the project, earth cutting involves excavation of huge quantity of materials, hence proper disposal plan to dispose such excavated material shall be implemented in consultation with the DFOs concerned and the UA shall not take soil from the nearby the forest areas for execution of the project and no additional path/road shall be made to execute the project;
 - xv. Proper SMC plan shall be prepared and implement to check soil erosion, at the project cost,
 - xvi. Wherever possible, plantation of indigenous trees species within forest area of 132.31 ha diverted earlier shall be carried out by the State Forest Department at the project cost;
 - xvii. The construction work shall be taken up only during daytime;
 - xviii. Proper labour camps shall be constructed in the non-forest area and in any case, labour camp shall not be made within the RF area;
 - xix. Speed limit of the train may be restricted as required in consultation with the CWLW and the court orders, if any specific to the speed regulation in such wildlife habitats;
 - xx. The DFOs shall monitor the project site regularly and submit such monitoring reports to the Sub Office, Vijayawada so as to take remedial measures, if required;
 - xxi. Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/Forest Areas;
 - xxii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
 - xxiii. The layout plan of the proposal shall not be changed without prior approval of the Central Government;
 - xxiv. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
 - xxv. No additional or new path will be constructed inside the forest area for the transportation of construction materials for execution of the project work;
 - xxvi. The forest land shall not be used for any purpose other than that specified in the project proposal;
 - xxvii. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agencies, department or person without prior approval of Govt. of India;
 - xxviii. Pre-fabricated structures should be used to the maximum possible extent to reduce the extent of disturbance in the habitat;
 - xxix. The debris/earth excavated during the track laying work should be disposed off or reused suitably so that the natural drainage of the area is not blocked. Materials to be used for construction of new tracks should be brought from outside the forest area;
 - xxx. The State Forest Department shall translocate the trees, instead of felling wherever feasible, at the cost of User Agency;
 - xxxi. The total forest area utilized for the project shall not exceed **53.07 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;
 - xxxii. The User Agency and the State Government shall ensure compliance to the all acts, rules, regulation and guidelines of the Ministry, for the time being in force, as applicable to the railway line projects;
 - xxxiii. Any other condition that the Central Government may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the User Agency at project cost;

- xxxiv. The conditions required to be adhered under the Forests Right Act, 2006 as per the guidelines issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 shall be strictly complied with;
- xxxv. Violation of any of these conditions will amount to violation of Van(Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

7. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**G. ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
The Principal Chief Conservator of Forests &
Head of Forest Force,
Andhra Pradesh, Mangalagiri, Guntur District.

Copy to:

The Inspector General of Forests,
ROHQ, MoEF&CC, Indira Paryavaran Bhavan,
Jor Bagh Road, Aliganj, New Delhi – 110 003 for information.

The Assistant Inspector General of Forests (Central),
GoI, MoEF&CC, Sub-office at Vijayawada of
Regional Office, Chennai, Green House Complex,
Gopal Reddy Road, Vijayawada – 520 010.

Indian Railway South Central Railway,
Office of Deputy Chief Engineer,
Construction IV, South Central Railway,
Secunderabad Telangana 500071-
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//FORWARDED :: BY ORDER//

SECTION OFFICER